



1

3374 (PHA 4140)  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Mark G. Obukowicz et al. Art Unit 1651  
Serial No. 09/737,892  
Filed December 15, 2000  
Confirmation No. 2003  
For SELECTIVE COX-2 INHIBITION FROM PLANT EXTRACTS  
Examiner Michael V. Meller

April 29, 2002

RESPONSE TO OFFICE ACTION

TO THE ASSISTANT COMMISSIONER FOR PATENTS,

SIR:

In response to the Office action dated 15 January 2002,  
please consider the following:

REMARKS

Claims 1-93 were subject to an election of species restriction requirement. In response, Applicants elected the edible plant of the genus Vitex and of the species agnus-castus for prosecution on the merits. Claims 1-5, 35, 37 and 78-93, as detailed in Applicants' response to the restriction requirement, are the only claims that read on the elected species. In the Office action, however, the Examiner has rejected claims 1-93, despite the fact that only claims 1-5, 35, 37 and 78-93 read on the elected species. Applicants' response, accordingly, addresses only the rejection of claims 1-5, 35, 37 and 78-93, which are the only claims presently under consideration due to the election of species requirement.

A new Oath/Declaration has been submitted herewith in compliance with 37 C.F.R. 1.67(a). The Oath/Declaration now identifies this application by number and filing date. The Oath/Declaration also identifies parent application Serial No. 09/723,363.

#9  
M.G.J  
5/8/02

RECEIVED  
MAY 08 2002  
TECH CENTER 1600/2

05/02/2002 RHEBRAHT 00000029 09737892 110.00 OP  
01 FC:115